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/s/ Tatiana Coronel
TATIANA CORONEL

1 Mr. Carlos Scissura: Good afternoon, everybody. Welcome -- welcome. It is an
2 exciting day to be here, although the Rangers did not have a
3 good night last night. So, if you see the bags under my eyes,
4 you understand why. Let me just first of all say it's -- it's great
5 to be here at Hunter. It's great to be in this -- what I was just
6 advised is an historic building and -- I'm just going to put you
7 on the spot for a second. Introduce yourself in a 30 second
8 little piece of --

9 Mr. Harold Holzer: Okay.

10 Mr. Scissura: -- history about this building.

11 Mr. Holzer: Yes. So I'm Harold Holzer. I'm the director of the house. This
12 is the home that FDR and Eleanor lived in for 25 years leading
13 up to the presidency. And three floors up, served as a
14 transition headquarters. The entire transition headquarters --
15 just a little dent at the side of this room where nothing less
16 than an entire New Deal was created between November 1932
17 and the end of February 1933. Infrastructure, social security,
18 banking were all -- were all conceived here. Nothing less than
19 saving in the country, so --

20 Mr. Scissura: We love it.

21 Mr. Holzer: -- back to you and Carlos, (unclear).

22 Mr. Scissura: Thank you so much and thank you to the team here. We have
23 big shoes to -- to fill being in this room. So welcome to our
24 first meeting of the 2024 New York City Charter Review
25 Commission. For those of you that don't know me, I'm Carlos

1 Scissura. I'm honored to -- to chair this commission. I'm
2 thrilled to be serving on my third commission, which is --
3 crazy how time flies; and honored to be asked to chair this
4 esteemed group of commissioners who are seated with me. I
5 am joined by Dr. Hazel Dukes, Ken Ngai, Kyle Bragg,
6 Reverend Herbert Daughtry, Ruben Díaz Jr., Lorraine Grillo,
7 Stephanie McGraw, Max Rose, Jackie Rowe-Adams, Bishop
8 Gerald Seabrooks, and Rabbi Chaim Steinmetz. I mentioned
9 all of the commissioners, even if they're not here, just so that
10 folks know who they are. I will introduce each of them shortly
11 and give them an opportunity to say a few words, once we do
12 a little business. So, Mayor Adams created the Charter
13 Review Commission on May 21st and we as a commission, as
14 I've been on the last two, are -- are tasked with reviewing the
15 City Charter, which is obviously the governing entity -- the
16 governing document for New York City, and proposing
17 amendments to the charters for voters to consider at the
18 general election on November 5th. Somebody came up to me a
19 few days ago and said, "What is a Charter Commission? What
20 does it mean?" "Well, you know when you go vote and there's
21 questions? Sometimes it's because a Charter Commission puts
22 questions on the ballot." So, we're going to spend much of the
23 next few weeks soliciting comments from the public and our
24 partners in government in an effort to produce changes to the
25 Charter that will improve the lives of all working class New

1 Yorkers, of everyone who is in New York City. We will hold
2 public hearings in each borough -- all five boroughs -- to
3 ensure that all New Yorkers will want to -- who want to be
4 heard will have an opportunity to come and talk, testify, listen,
5 and learn about what's happening. Mayor Adams has
6 specifically asked that the Commission examine public safety
7 and fiscal responsibility measures in the course of
8 reviewing the Charter. Those are two things that I think are
9 important. Obviously, New Yorkers want to be safe and New
10 Yorkers expect economic opportunity and fiscal
11 responsibility. But they are just two things. There are many
12 things that will come up, I am sure, once we put it out to New
13 Yorkers and start hearing their voices. In tandem to our public
14 meetings, the Commission will hold forums with experts in
15 various fields to examine potential Charter revisions more
16 closely in relation to these important subjects. And it -- it'll be
17 exciting because, as we've done in the past -- and it's
18 something that I've always felt was important -- you go into
19 the boroughs and we do a morning meeting -- we'll do an
20 evening meeting so that everyone has an opportunity to get to
21 a meeting and to be heard. So, before we proceed any further,
22 I'm going to ask that the commissioners consider three
23 resolutions that will ensure the efficient functioning of the
24 Commission as we begin the important work. I would add that
25 all Commission meetings are public and even at an

1 organizational meeting like this, it is done in public so that
2 folks can be here and observe and know what's happening. So
3 the first resolution, number one, appoints the Honorable Diane
4 Savino as Executive Director of the Commission and Ed
5 Kiernan as General Counsel. Diane spent almost 20 years
6 representing communities of Staten Island and Brooklyn as a
7 New York state senator, where she passed numerous laws that
8 benefit working New Yorkers. Diane previously served as
9 vice president of SSEU Local 371 and is a senior advisor to
10 the Mayor. Ed, who is sitting to my left, joins the Commission
11 from the Office of Chief Counsel to the Mayor where he is
12 Senior Counsel. He previously worked for the Department of
13 Buildings, the Department of Juvenile Justice, and the City
14 Council. This resolution grants Diane the authority to
15 maintain a staff and work with other city agencies and elected
16 officials across New York City to help achieve the goals of
17 the Commission. Resolutions two, grants Dr. Hazel Dukes the
18 aut-- authority of Chair if I am unable to continue in this
19 position, and she will serve as the Vice Chair. Although
20 knowing Dr. Hazel Dukes -- we all report to you, Dr. Dukes,
21 as it should always be.

22 And resolution three is required by the Open -- New York
23 State Open Meetings Law to allow our commissioners to
24 participate in meetings by video conference if they are unable
25 to attend a meeting in person. So, we will consider the three

1 resolutions jointly and I move that the Charter Revision
2 Commission adopt resolutions one, two, and three, as
3 presented today.

4 Mr. Ed Kiernan: Do we have a second from a commissioner?

5 Dr. Hazel Dukes: Second.

6 Mr. Kiernan: Second by Dr. Dukes. Okay, all in favor?

7 All: Aye.

8 Mr. Kiernan: Any opposed?

9 Mr. Scissura: Aye. Sorry.

10 Mr. Kiernan: Any abstentions? Okay, the resolutions are passed. Thank
11 you.

12 Mr. Scissura: Okay. So I am now going to take an opportunity to introduce
13 our commissioners and allow them to say a couple of words,
14 because they are an incredible group of New Yorkers, and I'll
15 start with myself. I -- I think I know many of you in this room.
16 I currently serve as the president of the New York Building
17 Congress. I've worked in government as Chief of Staff to
18 Brooklyn Borough President Marty Markowitz, and served as
19 President of the Brooklyn Chamber of Commerce. And as I
20 mentioned, it is my third Charter Commission. The first one
21 was under Mayor Michael Bloomberg, where I was a member.
22 The second one was under Mayor Bill de Blasio, where I
23 served as Secretary. And obviously this one under Mayor
24 Adams, where I served -- serve as Chair. I guess the only
25 thing the three of them can agree on, is that I have fun on

1 Charter Commissions, right or otherwise – so let me start, of
2 course, with Dr. Hazel Dukes. It's very difficult to provide
3 you a bit of Information about Dr. Dukes, but I'm going to be
4 very quick. She's from Manhattan-- is the president of the
5 NAACP New York State Conference. She's a member of the
6 NAACP National Board of Directors, a member of the
7 NAACP Executive Commis- Committee, and an active
8 member of various NAACP Board subcommittees. She is as
9 New York as they get. So, Dr. Dukes, would you like to say a
10 few words?

11 Dr. Dukes: Good afternoon. I'm honored and pleased. I'm honored and
12 pleased to serve under this great mayor: Mayor Adams. I've
13 had the pleasure of working in New York City government for
14 28 years and in Nassau County for 10 years. So I'm well
15 versed on education. I am an activist. I'm an advocate for the
16 people of New York State. I had the pleasure of being the first
17 woman to administer oath of office to the first woman who's
18 the Governor for the State of New York. Just been appointed
19 by her as a fellow at all of the SUNY school. I will be honored
20 in the next two weeks to find the first student-- the Hazel
21 Dukes Fellow of SUNY Universities across the state. And I
22 come with a love for the people of New York State. I come
23 with a love of being open and honest in discussions. And I
24 think with the array of people that is assembled here, we will
25 do that, an--we will get the truth to our communities that we're

1 here for good government.

2 Mr. Scissura: Thank you. I think we-- we all agree. We are here for good
3 government. Ken Ngai, who will serve as Secretary of Staten
4 Island, is a retired NYPD detective-- well-respected law
5 enforcement professional with more than 20 years' experience
6 protecting public safety in New York City. He has an
7 extensive background in high-risk global financial crimes,
8 undercover narcotics investigations, counter-terrorist
9 financing, and cyber environments. Welcome aboard, Mr.
10 Secretary.

11 Det. Ken Ngai: Thank you, Scissura. Good afternoon, everybody. My name is
12 Ken Ngai, and as the Chair had said, I'm a former NYPD
13 detective, serving the city for 32 years. I am a lifelong New
14 Yorker and I was honored to serve in this Charter Revision to
15 bring forth the transparency that I think, as the Chair had said,
16 brings forth good government. And I would like to serve in
17 the capacity to help in any way to bring forth transparency and
18 good government to New Yorkers.

19 Mr. Scissura: Thank you. Kyle Bragg, who-- actually, we served together
20 on the last Charter Commission, so it's-- it's good to have a
21 former colleague back on this one. Kyle is from Queens and
22 has served four decades at SEIU Local 32BJ where he retired
23 as President, after serving in that position since 2019. He
24 serves on the tr-- as a trustee of several 32BJ funds and as
25 chair of the Union Social and Economic Justice Committee.

1 He's a member of the executive board of the National
2 African-American Caucus of SEIU and serves on the
3 International Union's first racial justice task force. Kyle,
4 welcome.

5 Mr. Kyle Bragg: Thank you, Chair. He said almost everything that I wanted to
6 say. It's just an honor and a privilege to be here with such an
7 esteemed group of -- of New Yorkers serving the city. I -- as
8 he said, I grew up in New York. I was born in Brooklyn and
9 raised in Queens. I love this city more than --

10 Mr. Scissura: (Unclear).

11 Mr. Kiernan: (Unclear).

12 Mr. Scissura: (Unclear).

13 Mr. Bragg: -- I can express in words, and it's -- this -- this -- this
14 Commission -- I think's -- responsibility, it's my second time
15 around, to make sure that this city government works for all
16 New Yorkers. And so I'm privileged to be here and thank you.

17 Mr. Scissura: Thank you, Kyle. Reverend Herbert Daughtry Sr. is on his
18 way -- of Brooklyn -- is a civil rights activist who hails from a
19 family that has produced five generations of church leaders.
20 He serves as the National Presiding Minister of the House of
21 the Lord churches headquartered in Brooklyn. With more than
22 60 years of involvement in church and community service,
23 Reverend Daughtry Sr. has earned the title of the People's
24 Pastor. Ruben Díaz Jr. -- we know where he's from -- of
25 course, the Bronx -- represented his hometown and the people

1 of the Bronx for more than two decades, serving in the state
2 legislature for seven terms and as Bronx Borough president
3 for three terms. During his career in public service, Ruben
4 Díaz Jr. championed a new Bronx agenda based on economic
5 development, housing, education, and public safety. And I
6 would add that he understood, as Borough President, that
7 cheering on the people of the Bronx was a critical and
8 important voice. So, Ruben?

9 Mr. Ruben Díaz Jr.:

10 Thank you. Good -- good afternoon, everyone. It's a pleasure
11 to be here. Greetings from the Boogie Down Bronx. I am a
12 recovering politician and a -- life after politics, you always --
13 at least for me -- you want to find purpose, and you want to
14 find meaning in whatever it is that you do. The -- the fact is
15 that being born and raised in New York City -- being born and
16 raised in the Bronx, is something that I wear with a badge of
17 honor. And to be able to have been named by our mayor with
18 this auspicious group -- a -- a diverse group -- being a Puerto
19 Rican Latino from the Bronx is not lost on me. And there's a
20 large -- large community out there that feels unfortunately,
21 that New York City is still not working for them. And I -- I
22 hope -- and I'm optimistic -- provided this venue, that we
23 embody the spirit of the New Deal. That -- just like Roosevelt
24 -- that whatever comes out of this commission is something
25 that's going to better the lives of all New Yorkers, especially
those that feel like no one is speaking out for them. I look

1 forward to serving with each and every single one of you and I
2 also hope to have a little bit of fun while we're here. Thank
3 you.

4 Mr. Scissura:

5 A little bit of fun is always good. Lorraine Grillo of
6 Manhattan, began her public service career as a Community
7 Relations Specialist at the New York City School
8 Construction Authority before serving several senior roles in
9 the Authority before being appointed as CEO and President as
10 2014. She served as Senior Advisor to Mayor Bill de Blasio
11 for COVID-19 recovery, and as a Commissioner of the New
12 York City Department of Design and Construction from 2018
13 to 2021. She most recently served as First Deputy Mayor to
14 Mayor Eric Adams. Stephanie McGraw of Manhattan is the
15 founder and CEO of We All Really Matter -- WARM, a
16 domestic violence organization founded in 2010 out of her
17 own vicious cycle of abuse. Through her journey, Ms.
18 McGraw yearned to see service providers working through an
19 inclusive, culturally competent lens. By establishing WARM,
20 she became the first Black woman to create a demo-- domestic
21 violence agency in Harlem. The organization now operates
22 citywide and has expanded to provide economic
23 empowerment services in Ghana and throughout Africa. Yeah.

24 Ms. McGraw:

25 Yes, hi. (Unclear). Good afternoon. My name is Stephanie
McGraw. I am so honored to be here with you all and such a
privilege to be appointed to this. A matter of fact, when

1 Edward -- Edward came up to my office, he said, "Whoa, I've
2 never s-- embodied someone so excited." Because I was
3 excited. I have a whole team there -- we have video, and it's
4 just that serious for -- for me, you know, as a Black woman
5 here. I grew up in the City, raised in the City, grew up in
6 housing projects, grew up in poverty, grew up in lack of
7 education. I didn't get my GED 'til I was 50 years old. So
8 what I'm here to do -- to stand here, to represent this city of
9 people that -- of from backgrounds that don't get an
10 opportunity to have their voice heard; that don't get an
11 opportunity to sit at a table and talk about the real issues that
12 are happening in the City. We are, all of us, that bridge over
13 troubled water; and we will be here as a united front to make
14 sure that we're -- that we speak for our people and -- and
15 present the most -- environment of safety, 'cause safety is
16 important to us, you know. We deal with very critical issues
17 here -- women being violated and murdered everyday here in
18 this city. So I'm honored to be here, to be a voice on this very
19 important committee for the voiceless in our city. So I'm --
20 I'm grateful, I'm thankful, and I'm honored to be here. Thank
21 you so very much. And I honor and I love my city. I love my
22 people. I love every nationality. We are one. We're -- there's
23 no difference, but we live in a society that wants to separate
24 us. So, as we sit here on this panel and on this amazing
25 committee, we will be representing all of you, because all of

1 you, are all of us. Thank you.

2 Mr. Scissura: That was amazing. Thank you, Commissioner. Max Rose of
3 Staten Island is a former congressman from New York's 11th
4 District. He proudly represented Staten Island and South
5 Brooklyn in the U.S. House of Representatives from 2019
6 through 2020. Max was commissioned to the U.S. Army in
7 2010 as an infantry -- infantry officer and still serves in the
8 U.S. Army Reserve as a major. And Max, if it's okay, I am
9 going to give a shout out to your two-week-old --

10 U/F 1: Aww. Wow.

11 Mr. Scissura: -- little bundle and say congratulations.

12 Ms. McGraw: Congratulations.

13 U/F 1: Wow. Two weeks old. That's amazing(?).

14 Mr. Max Rose: That's -- that's very -- that's very kind of you and it's an
15 honor to serve on this commission. I -- I certainly --
16 considering those seated before you all. I certainly don't think
17 I'm worthy, but I -- very honored to be here. My wife and I
18 adopted a baby girl two weeks ago. Her name is Ashton Fox
19 Rose.

20 Ms. McGraw: Beautiful.

21 Mr. Rose: With a name like that, she better -- she better be something,
22 man. That's a -- that -- this -- this commission is about her.
23 I'm a fourth generation New Yorker and, by God, she'll be a
24 fifth generation lifelong New Yorker. And it's all of our
25 collective responsibilities to make sure that this city remains

1 and grows even stronger and ever more equitable for all the
2 Ashtons of the world. So, thank you, again.

3 Mr. Scissura: Thank you, Max. Well said. Jackie Rowe-Adams of
4 Manhattan worked tirelessly with youth and seniors as a
5 music specialist with the New York Department of Parks and
6 Recreation from 1996 until her retirement in late 2021. After
7 losing two sons to gun violence, Ms. Rowe-Adams co-
8 founded Harlem Mothers Stop Another Violent End -- an
9 organization instituted to end the dreaded scourge of violence
10 in the Harlem community. She has received numerous awards
11 and citations for her social activism and her efforts have
12 inspired love and respect from all who have had the
13 opportunity to meet her. And I would ask -- add admiration
14 from many, as well. She is a lifelong resident of Harlem.
15 Welcome.

16 Ms. Rowe-Adams: Thank you so very much. And I am so glad to hear you say, "I
17 have gained so much respect for our mayor." I just want to say
18 thank you, Mayor Adams. Thank you, Mayor Adams, for
19 putting this commission together, hearing our --

20 Mr. Kiernan: (Unclear).

21 Mr. Scissura: I'll read it.

22 Ms. Rowe-Adams: -- voice, and understanding that is so important for our
23 community, our city, to know what's going on. We have been
24 silent for a long time, because we didn't know what was going
25 on. Now we're here today to say to the world -- to the world --

1 'cause the world is listening -- that we are going to make a
2 difference and we are going to be fair and let the people in the
3 community and the city hear what's going on. When you talk
4 about public safety -- I am a mother who lost two kids to gun
5 violence, but I couldn't bring my kids back. So I decided to --
6 let's start a support group with mothers and fathers. Let's deal
7 with the safety issue; and that's what we've been doing. But
8 again, I can't say enough: Thank you, Mayor Adams. From
9 day one, he's been helping organize our group from 2006; so
10 this is not new. But we finally -- finally are at the table with a
11 great team on this Charter Revision for our voices to be heard
12 -- for us to be the voice for the voiceless. So what we need is
13 for everybody -- everybody to pay attention and know that be
14 -- we the right team. I was the president of DC37 Local 299,
15 for 18 years, and we de-- dealt with a lot of information, and
16 especially Charter. And we got the message out there. I was
17 the president of School Board District 5 for 10 years and we
18 got the message out there. We worked with the community
19 and all they want to know is, what's going on. We didn't hide
20 anything. And you know that song, "What's going on?" So
21 that's why we here today, and we will be here to make sure all
22 of you -- all of you play a part in your community and in your
23 city and some -- in the world. So, thank you again, Mayor
24 Adams, for having that vision and understanding the need --
25 the need for the community and the cities to know, what's

1 going on.

2 Mr. Scissura: Thank you. Amen to that. I -- I have to say, when I hear
3 DC37, I get very excited. I know there are lots of union folks,
4 but my late mother was a DC37 retiree --

5 Ms. Rowe-Adams: Oh.

6 Mr. Scissura: -- and as a single parent, I can tell you, union benefits saved
7 her life --

8 Ms. Rowe-Adams: That's right.

9 Mr. Scissura: -- and -- and were able to get us through a lot of tough times.
10 So, amen to DC37.

11 Ms. Rowe-Adams: Thank you.

12 Mr. Scissura: Bishop Gerald Seabrooks of Queens is the pastor of the
13 Rehoboth Cathedral -- a purpose-driven ministry located in
14 the heart of Bedford-Stuyvesant, Brooklyn. Now, of course,
15 Bed-Stuy, we know, is the center of New York City, but -- as
16 a Brooklynite, I can say that. Seabrooks has -- Bishop
17 Seabrooks has actualized the holistic approach by serving
18 humanity both spiritually and socially. He is also currently
19 employed as a licensed guida-- guidance counselor and
20 pedagogue by the New York City Department of Education.
21 He served as Executive Vice President of a prestigious
22 community multi-service corporation for over 25 years.

23 Bishop Gerald Seabrooks: Let me say, I retired from the Board of Education. First, thank
24 you, Chairman. Let me say, I've worked very closely with
25 Mayor Dinkins; I worked very closely with Mayor Bloomberg

1 to, number one, stop crime in the African-American
2 community; worked very closely with youth. My mentor sits
3 here today, Dr. (Unclear). (Unclear) for formulating this
4 commission, because I believe it starts with us, and I'm asking
5 you to do something today -- on the first day of this
6 commission. Will you begin to do a kind deed every single
7 day to some New Yorker to let them know we are great people
8 because we have love one to another. So, I want to see safety,
9 but I want to see how city change back to the city it once was
10 when we learned how to communicate with each -- with each
11 other, even if we had differences. So thank Mayor Adams for
12 putting this commission together.

13 Mr. Scissura:

13 Thank you, Commissioner. Rabbi Chaim Steinmetz of
14 Manhattan is the senior Rabbi of Congregation Kehilath
15 Jeshurun -- I hope I said that right -- in New York. A much
16 sought after speaker and teacher with over three decades of
17 experience, Rabbi Steinmetz has mastered the art of
18 presenting the timeless wisdom of ancient texts in a
19 contemporary way. Rabbi?

20 Rabbi Chaim Steinmetz:

20 Thank you, Mr. Chairman. It is such an honor to serve our
21 city; it is such an honor to serve our mayor; and above all, it is
22 such an honor to serve with all of these amazing
23 commissioners. I am probably the late-comer to this city. I
24 grew up in the suburbs. I spent a good chunk of my life living
25 in Israel and in Canada. I came to New York City a little over

1 eight years ago, and I fell in love. And there is so much to
2 love in our city, and I think that I'm not the only one who
3 does that. When I walk around the city, I hear every language
4 from everywhere in the world, and it's not just tourists. People
5 love New York City. People want to live in New York City.
6 Now here's the thing about love: You can't take love for
7 granted. You need to work at it. And if we want this city to be
8 the place that we love, it has to be a city that serves each and
9 every one of its citizens. It has to be a city which is not just a
10 bunch of individuals following their own agendas, but has to
11 be a city that brings people together. We need to preserve that
12 beautiful mosaic of New York. We need to make this a place
13 where everyone feels safe, where everyone feels secure, and
14 everyone feels heard. It is really an honor to be a part of this
15 commission.

16 Mr. Scissura:

Thank you, Commissioner. Christopher B. Lynch is a lifelong
17 public servant. For the last decade, he has worked as a
18 substitute teacher with the New York City Department of
19 Education. Previously, he served over 20 years with the New
20 York City Department of Corrections Health Management
21 Division, retiring as a captain. Welcome.

22 Mr. B. Lynch:

23 Good afternoon, everyone. I'm honored to be a part of this
24 panel here this afternoon. As one of my colleagues -- as my
25 colleague said on the other end, when I looked at the bios of
all the other commissioners that were here -- and I'm, like,

1 “Okay, so what am I going to bring to the table?” So, my --
2 what I -- what I hope to bring to the table is also to be the
3 voice for the voi-- for the voiceless. As I often see when I hear
4 politicians talk about “my constituents, my constituents,” but I
5 s-- but no one spoke to me. So no one got my opinion -- no
6 one received my opinion. So I want to be the voice on this
7 commission -- to be the voice for the voiceless. Children is my
8 love and I want to be able to represent those young ones for
9 their future, and represent the City. Thank you.

10 Mr. Scissura:

Thank you, Commissioner. Reverend Daughtry, before you
11 came in the room, I spoke of you. We’d love for you to say a
12 few words before we move on with our program.

13 Rev. Herbert Daughtry:

Thank you -- thank you -- thank you. And what an honor it is
14 to be sitting here today for such an illus-- illustrious body as --
15 so dedicated -- some of whom I know -- have been knowing
16 for a few years -- many years. Bishop Seabrook -- my sparring
17 partner back there -- you know. Ruben Díaz, and many others.
18 Let me apologize, first of all -- I -- I’m late. It wasn’t my
19 fault. Seriously. I -- I -- I got in an Uber and I ended up in
20 Queens, you know -- and so I had to call and get directions,
21 and so that’s why I’m late. Believe me, I always just -- sounds
22 a little funny, but believe me, I’m just honored to be here.
23 Been in New York a long time -- only about 80 years and -- I
24 think -- Bishop Seabrook, you used to be by teacher, right?
25 About -- about -- no, maybe Dr. Hazel Dukes used to be my --

1 but I'm just honored to be here, in whatever way. For a long
2 time now I've been on this mission to save the planet -- save
3 the people. That's our challenge. And however we can do that
4 -- that's a lifetime goal and an exciting one, at that. Been
5 knowing the mayor, obviously, for a long time; when he was
6 quite young. And sometimes he gives me credit for having
7 encouraged him to join the police -- become a police officer
8 and demonstrate what policing should be about. And so I'm
9 just honored to be here. Thank you.

10 Mr. Scissura:

11 Thank you, Reverend. And -- and by the way, I have to say,
12 when you -- when you hear the stories and you hear our
13 commissioners speak, the -- first of all, the excitement from
14 everyone is very clear. That's -- I've learned on Charter
15 commissions, there will be times it can get very dry and it can
16 get very technical. And the excitement of wanting to not only
17 hear from New Yorkers, but to listen to them and maybe learn
18 a thing or two from New Yorkers is -- is really something to
19 look forward to. The second thing is diversity. And -- and, you
20 know, the diversity is clear from who's sitting at these two
21 tables, but the diversity of life experiences that we just heard
22 is incredible. It is just fascinating who's been here a few
23 years, who's been here a long time. You know, my own story
24 is kind of fun, and I have to say it, because my parents came
25 here on their honeymoon in 1967 and every year said, "Oh
yeah, we're going to go back to Italy. We're going to go back

1 to Italy.” Obviously, never left. So, every New Yorker’s got
2 some story. Every New Yorker has some passion for why we
3 love this city. And I think New Yorkers, we’ve learned,
4 whether you’ve been here six months or six decades, you
5 become a New Yorker. That’s it for you. So, I’m even more
6 excited now to serve as Chair hearing all of these life stories.
7 And I can tell you, I know that I am personally going to learn
8 a lot from all of you on this commission, so thank you. So
9 let’s get to a couple of presentations. So, integrity and
10 transparency are very critical on a Charter commission. So to
11 that end, we will be posting all Commission documents,
12 transcripts, and hearing videos right on our website:
13 nyc.gov/charter. I’ll repeat that again: nyc.gov/charter. And
14 we are pleased to have Alex Kipp of the New York City
15 Conflicts of Interest Board as the first person to address us as
16 a commission. Ethics and integrity are the heart of the actions
17 of this commission, and we thank Alex for being here to
18 remind us of our obligations and Charter as Charter Revision
19 commissioners. Alex, welcome.

20 Mr. Alex Kipp: Thanks very much. Where would you like me to (unclear)?

21 Mr. Scissura: Sure.

22 Mr. Kipp: I -- I just want to -- okay. (Unclear). Okay.

23 Mr. Scissura: I’ll pass this out. Thank you.

24 Mr. Kipp: Thank you. Okay. Hello, everybody.

25 Dr. Dukes: Hi.

1 Mr. Kipp: So, thanks for the introduction. My name's Alex. I'm with the
2 New York City Conflicts of Interest Board. I was here -- or
3 I've been asked to just present about 20 minutes on kind of an
4 overview of Chapter 68 of the City Charter, the Conflict of
5 Interest Law, talking about how this law may possibly
6 intersect with your service here. And also to offer our
7 resources when you've got questions. First, let me say thank
8 you. Thank you for your service.

9 Mr. Scissura: Thank you.

10 Mr. Kipp: It was the Charter Revision Commission from '86 to '88 that
11 created the New York City Conflicts of Interest Board. I then
12 started working there sometime later. And then in 2010 it was
13 the Charter Revision Commission, that made training in this
14 law mandatory, which gave me very good job security. So,
15 nice work. So, in any case, let's focus in first on how you can
16 use us. The most important thing -- and this is in the notes of
17 the Charter Revision Commission from '86 to '88: "The most
18 important thing that a Conflicts of Interest board can do is
19 prevent conflict of interest violations." And that's through a
20 combination of training and advice. And that's what our
21 outputs show. You know, thousands of people served in
22 training and advice every year, trying to prevent any kind of
23 violation of the Conflict of Interest Law. One of the most
24 important thing we do. And we're easy to get ahold of. If you
25 see -- on the back of the handout, you see our telephone

1 number, you see our website. Anybody subject to this law can
2 call us up nine to five, Monday through Friday. You'll get an
3 operator. You say, "I want to speak to the attorney of the
4 day," and we'll talk to you right then and there. And what you
5 should know about that conversation, is it's always free.
6 That's good. And it's always confidential. What does that
7 mean? Well, when they enacted this Conflict of Interest Board
8 around 1990, they wrote in the statute -- th-- the thinking was:
9 We want this Conflict of Interest Board to be asked a lot of
10 questions, and if the Board can blab about the questions,
11 nobody's going to ask 'em the questions. So, by law, we have
12 to keep your requests for advice confidential. We can't talk
13 about our answers. We can't talk about your questions. We
14 can't even confirm or deny that you called us for advice. And
15 that way you have a safe place to discuss your proposed
16 activities and there -- no one will ever know that you -- except
17 you. And we will always give you a copy of what we said in
18 writing, and then that'll be your choice to share that advice
19 that you got. That's just not something we can do, but you can
20 do it, certainly. Now, caveat -- caveat about the advice. There
21 is -- one kind of thing -- well -- okay. In life, not just in
22 conflict of interest, when is the best time to ask for advice?
23 Before -- before I do the thing, right? Because if I break a
24 bunch of laws and then I ask for advice on it, that's not advice
25 -- that's a confession. Right? So we don't want that to happen.

1 We want people to call us early, call us often. We want to
2 avoid any sort of even accidental violation of the law and we
3 think we can do that by giving you advice for free -- quickly,
4 quietly. There you go. And that's the most important way
5 we're going to interfa-- interface with you -- is giving you
6 advice whenever you want it. If it concerns this law, we'll
7 give you advice on it. Now, let's move on to what we need to
8 know about the Conflict of Interest Law from the perspective
9 of someone who serves on the Charter Revision Commission.
10 I've highlighted on the handout just a couple of the bullet
11 points I'll go over. There's 20 bullet points on here. There's
12 only a few we really need to talk about. The biggest thing to
13 understand about this law is that everything is -- sort of hangs
14 on the concept of misuse of position. That's really what drives
15 everything in the Conflict of Interest Law. Now, one small
16 note to that is that while the law thinks of basically every
17 public servant, part-time or full-time, as the same, the
18 expression of that law is going to be a little bit different
19 compar-- when we think about the facts. And that's going to
20 be true here, and I'll -- I'll give you an example when we
21 think about misuse of position. The -- the common notion of
22 misuse is the one that you could just pull from a headline like,
23 "Hey, I've got authority over you. Give me free stuff or I will
24 use my City authority to, you know -- intimidate you, or to
25 write you a ticket, or fine you, or whatever." That's a misuse

1 of position. I think everybody knows that. The more
2 interesting thing is about ethics laws in government post-
3 Watergate, which is when a lot of reforms happen in ethics
4 laws in America -- began to be concerned with this notion of
5 the appearance of impropriety -- questions of integrity that
6 might arise if I, the public servant, act on a -- in a offi-- take
7 an official action where the result of that action would be a
8 benefit to myself or an associated party. Now, we get into an
9 interesting area here, because misuse of position -- I'm going
10 to contrast two different kinds of ideas. So the Conflict of
11 Interest Law -- mostly it was written thinking about these
12 people who work full time for the City like me; the 325,000
13 people who devote most of their lives to public service, and
14 then they've got, like, a side hustle. Right? They're an adjunct
15 professor. They maybe own a small business. They sit on the
16 board of a not-for-profit. For you, that's reversed, right? This
17 is the side hustle. It's a very important side hustle, but it's a --
18 it's a side hustle. But -- yeah -- and -- and then you've got this
19 robust outside life with businesses, positions, clients, all that
20 kind of stuff that you had before and you're going to continue
21 to have. So, let me now pose up this kind of hypothetical. For
22 me, the person who works in City government full time -- let's
23 do a little hypothetical here. Let's say the Conflict of Interest
24 Board, where I work -- let's say they were looking to hire
25 another lawyer -- mostly lawyers work at the Conflict of

1 Interest Board. My brother is a lawyer, he hates his job --
2 that's actually true. And I say, "Hey, why don't you apply for
3 a job at the Conflict of Interest Board?" Now, the -- my duty
4 of recusal is so broad that not only can I not recommend my
5 brother for a job in my agency, I can't interview him. I can't
6 even be a part of any search where my brother is one of the
7 candidates. That means I can't even interview anybody else
8 who's competing with him for the job. It's a total recusal. I
9 want to contrast that now with what happens when a -- a -- an
10 entity that you're associated with -- like, let's say your
11 primary employer wants to participate in a public meeting. Do
12 you have a duty of recusal? And the answer is: You do not.
13 You are going to continue to serve on this board at this
14 meeting, ask the questions, and continue as a board member
15 like anyone else does, whether it was your employer or
16 somebody else who has participated in the meeting. So that's
17 a fundamental difference. You're going to participate like
18 anybody else; you don't have a total recusal. The one thing
19 that the Board cautions is that when you participate in a
20 meeting where your employer is also participating in that
21 public meeting -- a meeting subject to the Open Meetings
22 Law, which is primarily what this commission's going to do --
23 then, you make it clear that you are serving solely in your
24 capacity as a commissioner here. That's it. It's just like, "Hey,
25 that's my employer. I'm here doing the Charter Revision

1 Commission business.” There we go. Good to go. Now, I’m
2 going to contrast that with the following hypothetical, which
3 is: What if in some -- maybe more rare instance, there is a
4 meeting that is not subject to the Open Meetings Law, where
5 commission staff and maybe commissioners themselves or
6 some commissioners themselves, might meet with my
7 employer, and I am also a Charter Revision Commission
8 member? That non-public meeting -- that meeting not subject
9 to the Open Meetings Law is one that I may not participate in.
10 I can’t set up the meeting for my employer. I can’t participate
11 in the meeting. That would be a violation of the Conflict of
12 Interest Law. So this body can certainly have that meeting
13 with that entity, but I’m not the one who participates in that
14 meeting. Now, third interesting thing: There’s a whole
15 question of resources. So that’s bullet point number one:
16 Misuse of position. Bullet point number two talks about
17 misuse of city time and resources. Now for the full-timers like
18 me, the expression of that -- when you see it, you usually see
19 it in an enforcement case, when a public servant has devoted
20 some amount of city time and resources to some sort of
21 outside interest. Maybe they’re running a business out of their
22 city office, which could be practice of law or could be
23 something much smaller. I’ve seen people get in trouble for
24 all kinds of things; running a -- a -- kind of a -- a storefront
25 while they were on the city clock, one person got in trouble

1 running a travel agency from their City desk, which is -- you
2 know. What decade was that? But in any case, so -- the -- but
3 a question of resources comes u-- can also c-- can come up.
4 What about the reverse? Could my outside employer -- if I'm
5 a Charter Revision Commission member, could my outside
6 employer devote its resources to help me further the work of
7 the Charter Revision Commission? And the answer is yes.
8 That is not a problem whatsoever. So having your outside
9 organization type up bullet points or do some research or do
10 some copying or set appointments, or whatever that stuff is --
11 that is allowed, as long as it's clear that the reason that that is
12 happening is the benefit to the Charter Revision Commission.
13 And then one asterisk to put on all of this, is just beware of
14 confidential information. I can't pass confidential information
15 onto anyone who's not supposed to know it. And that would
16 include my outside employer -- you know. Now, "What if my
17 outside employer says, 'Hey, what happened at the public
18 meeting?' Can I tell 'em about that?'" Sure. I mean, I could tell
19 'em, "Hey, why don't you go read in the news?" Right? But I
20 could also just tell them that because that's public
21 information, but confidential information -- I'm not allowed to
22 share with anyone. Okay. So that brings us through the sort of
23 boutique of misuse of position. That's probably the most
24 important thing to talk about. I now want to switch over to just
25 a couple of other things that are sort of minor keys in this

1 conversation -- or con-- conversation, but in -- in -- my short
2 time with you, and it's this: Okay, very quickly. Number one:
3 For-- forever, since we've had a Conflict of Interest Law,
4 there's been ano-- a -- a -- a very bright line rule that says that
5 I, the public servant, am -- am prohibited from entering into a
6 financial relationship with anybody above me or below me in
7 the chain of command. Okay. So, that means -- remember that
8 the Charter Revision Commission staff are considered your
9 subordinates, and therefore you can't enter into a financial
10 relationship. And I think most of us who have bosses -- we
11 feel like that's a pretty good thing, right? My boss can't hit me
12 up for a loan. My boss can't lend money to me. My boss
13 cannot move into my apartment, which is -- that's very good, I
14 think. Right? Tho-- and these are all things -- it's kind of
15 protection from, you know, superiors putting a thumb on -- on
16 -- on -- on me somewhere to try to squeeze a financial benefit.
17 Now, let me just -- but -- it -- it really is a kind of total ban.
18 So, let me put it -- and we should remember this, like -- even
19 things that are non-financial, but might generate obligations to
20 someone could be interpreted as financial. Here's an example:
21 Let's say I'm an attorney and there's someone in -- a -- a
22 staffer in my office. So I'm the commissioner, that person's a
23 staffer, and that person wants help with a will -- or they want
24 help with a real estate closing. I can't be their attorney even
25 for free. The attorney-client relationship -- the Board has

1 made clear is a -- close enough to a financial relationship,
2 because the obligations generated that -- that's not allowed.
3 So, even those things -- that kind of relationship for free
4 would be problematic. Okay? Number two: thinking about
5 subordinates -- move on to politics. It is a violation for me, the
6 superior, to ask -- even ask any subordinate to participate in
7 the political process, in terms of any kind of activity that is --
8 electioneering activity. So I can't ask a staffer how to vote. I
9 can't ask 'em to go to a rally. I can't ask 'em for funds. I can't
10 ask 'em. I can't ask 'em. Why? 'Cause it's hard to say no to
11 the boss. You know? Like, "Hey, how would you like to
12 volunteer for this campaign?" Might be a hard no -- hard to
13 say no to the boss on that. So it's not allowed. Now, here's
14 one place that -- I think everybody probably knows this, but
15 just to refresh you: Members of boards and commissions are
16 deemed to have what we call "substantial policy discretion."
17 And there is one additional thought, or rather, notion in the
18 Conflict of Interest Law -- it's in the statute -- about -- and it's
19 a -- it's about fundraising for local races. And basically the
20 restriction is for those of us with substantial policy discretion -
21 - we're not allowed to ask anyone in the world to donate
22 money to a candidacy for a local office. So anybody running
23 for mayor, council, borough president, comptroller, public
24 advocate; I can donate my own money -- whatever -- within
25 the campaign financing limits, but I can't ask -- so, let's say I

1 got a buddy who lives in China now, I haven't seen him in 20
2 years -- I can't call him and ask him to donate to that
3 campaign of that person who's running for mayor currently. I
4 -- I mean hypothetically, right? Any person running for
5 mayor, comptroller, whatever. Now, the other thing I can't do
6 is I can't ask anybody in the world for any money -- to donate
7 any money to any current city-elected official who's running
8 for any office. And with term limits, you -- you see that a bit,
9 right? So for example -- kind of down where I live, m-- my
10 congressional rep for a long time was Major Owens. Major
11 Owens retired. And Yvette Clark, you might remember, was a
12 sitting City Council member. She ran for that seat. We
13 couldn't have do-- we -- we could donate our own money, but
14 we couldn't have asked other people to donate their money to
15 her campaign. She didn't need it; she won anyway. But, the --
16 there -- th -- that's the example. And then the last of this trio
17 of -- of political restrictions is: Those of us with substantial
18 policy discretion are also pro-- prohibited from holding high
19 level political party positions -- like county executive, kind of
20 positions. And if you've got questions about that -- what is on
21 the list? What's off the list? Call us, get some advice, we'll let
22 you know. But I won't -- I won't go into all of the details with
23 that. And then last thing, 'cause I want to make this short, and
24 it's about gifts. Those of you who have had some experience
25 with City service, you probably know that there's a gifts rule

1 out there. The -- City -- in City government -- when you work
2 for City government, the Conflict of Interest Law says, “I
3 don’t take a valuable gift from somebody doing business or
4 seeking to do business with the city.” Valuable means
5 something worth \$50 or more. I don’t know about you. I’ve
6 worked for the city for 23 years, I’d never been offered \$50
7 worth of anything. Never happened. But, some people do get
8 offers of things and basically -- and a lot of people -- a lot of
9 you have worked at agencies where the -- the level is zero.
10 NYPD -- zero gifts, right? Says in the admin guide.
11 Corrections also says don’t take any gifts from anybody.

12 Reverend Daughtru: DOB.

13 Mr. Kipp: DOB, as well. Absolutely. So some agencies have an even
14 stricter rule. Now, one interesting question though is -- and I
15 bring it back to the fact that you live a robust outside life that
16 is your full-time life -- is you’ve got relationships, you’ve got
17 relatives. Some of you even have friends. Right? I -- we
18 remember friendships before City government, yes? And it
19 may be -- so now we have to ask this question: I sit on the
20 Charter Revision Commission. This person wants to give me a
21 gift that they always were giving me for my birthday. What do
22 I say to them? Like, “We’re no longer friends now?”, “You’re
23 dead to me”, or -- ? Wh-- you know, what i-- what is the
24 answer there? And the answer there is: If it’s clear that the
25 only reason that a person is giving me this gift is because of

1 this outside pers-- pre-existing relationship and they would've
2 given me the gift anyway, then it's probably okay to accept it.
3 Now, where the antenna should go up is: Let's say someone I
4 don't know wants to give me something solely because I'm a
5 member of this commission, then you got to say no. And then
6 here's the hard one: Let's say I've got an old friend who's
7 always given me stuff, but now he has some matter directly
8 before this Charter Revision Commission, and he wants to
9 give me the same thing he's always given me. Call us for legal
10 advice. There is -- there is a history of interpretation of that
11 law. Let's see where your situation lines up with the facts.
12 Best case scenario is we got you the advice, we put it in
13 writing, you can accept the gift, and then you're good to go.
14 Or there may be cause for circumspection where maybe you
15 don't want to accept it in that very rare instance, but let's talk
16 about it and figure what the answer is. The last thing -- I
17 promise -- is this: In 2010, the City Council passed a law that,
18 for the first time, put a restriction on giving gifts to public
19 servants. There had never been that before. And it's only a
20 very specific kind of giver, which is a lobbyist. A person who
21 is required to register with the City Clerk's office as a lobbyist
22 is prohibited from giving any an -- any public servant
23 anything. There's an -- a de minimus exception for
24 tchotchkes, calendars, pens, stuff like that; but basically it's
25 zero. It's zero. So, if I am a lobbyist, I'm not allowed to give

1 any public servant anything. And if I was, say, a lobbyist who
2 served on a -- a Carter Revision Commission, I think the
3 giving of things to my fellow members might require some
4 circumspection. In fact, I'm -- I'm not sure how to think about
5 it without it being a violation. But again, I'm not the legal
6 advice person. So that would be a question to ask on a
7 confidential legal advice call. But, antennae should definitely
8 go up because remember -- it had always been the case pre-
9 2010 that if a member of the private sector gave the gift to the
10 public servant, the public servant was liable; the giver was
11 not. But since 2010 -- and we've had a couple of enforcement
12 cases on this -- if the lobbyist gives the prohibited gift, then
13 the lobbyist could be fined, as well. We don't want that to
14 happen to anybody, so people should call us. And here we go
15 to wrap up. On the back you will see our telephone number
16 and our website. Think of this just -- you talked about "it was
17 not going to be exciting for a moment." This is the boring
18 part, right? But -- think of this time together briefly as just an
19 introductory handshake. When they wrote the law 30 years
20 ago, they said, "It's not supposed to be a gotcha." That's why
21 we come out. We do these very quick sessions and then you
22 know enough about this law to call us whenever you need us;
23 call us early, call us often. We will give you all the advice you
24 need to make sure that you never get tripped up by this
25 Conflict of Interest Law and you can continue your very

1 important work here. So, thank you very much for your time
2 today and Godspeed.

3 Mr. Scissura: Okay.

4 Mr. Kipp: Yes, sir.

5 Mr. Scissura: Thank you. Thank you. Do any commissioners have
6 questions? Yes, sir. And then I do, as well.

7 Mr. Díaz Jr.: I am a -- I am a delegate at large for the Democratic party.
8 Would -- would that be considered a party position?
9 (Unclear).

10 Mr. Kipp: You know, I'm a little rusty on that -- on the statute. It
11 enumerates certain kinds of party positions. I think in the plain
12 language guide, it may not even go into the details. It says --
13 okay. It says certain party positions. Delegate is -- delegate at
14 large is not one that I've read in -- in that -- I haven't en--
15 encountered it before. I think it says county executive, district
16 leader -- delegate at large is -- is not one. But I think just
17 because you're kind of getting close, go ahead and give us a
18 ring, because if it's a yes, it's going to be an easy yes; you file
19 it away, you don't think about it again. Yes ma'am?

20 Ms. Rowe-Adams: Yeah(?), it's Jackie Rowe-Adams. I am a judicial delegate for
21 (unclear) election.

22 Mr. Kipp: Uh-huh. I think it's the same -- I think it's the same answer,
23 which is that delegate doesn't rise to that level. I'm almost --
24 I'm, like, 95% sure -- but just to make sure, give us a quick
25 call. We can get that advice to you in writing. Yeah.

1 Mr. Scissura: So I want to touch on campaign contributions.

2 Mr. Kipp: Yes, please.

3 Mr. Scissura: 'Cause I feel like that's something everybody --

4 Mr. Kipp: Yup.

5 Mr. Scissura: -- gets hit up for. So, I personally can give a campaign
6 contribution --

7 Mr. Kipp: Absolutely.

8 Mr. Scissura: -- to someone running for City Council or whatever within the
9 limits of the law, et cetera.

10 Mr. Kipp: Exactly.

11 Mr. Scissura: I cannot be on a host committee for somebody running for any
12 city office.

13 Mr. Kipp: That is an excellent question and I'm going to proach that --
14 you're -- I'm going to give you the favorite lawyer answer --

15 Mr. Scissura: Okay.

16 Mr. Kipp: -- which is, like, "It depends" -- and here's what it depends
17 on. I -- you're going to have to call us for legal advice, 'cause
18 I think it -- what -- what -- what -- what -- what it's going to
19 hang on a little bit is, like -- "How many people are on this
20 host committee? Is it like a hundred people? Are you just on
21 the letterhead and that's it? Where -- or is there -- is it the host
22 committee and now your name is signed at the bottom and
23 these are implications going to specific people?" There --
24 there -- there's a -- there's been -- interpretively, there's been
25 a -- the -- a tendency to not get people tripped up on what are

1 essentially, like, non-acts; like being present in a room, for
2 example. And -- and -- and we've faced that question a
3 number of times. For example -- and this is in the spirit of
4 what you're asking: "Let's say I'm not going to host the party,
5 but my spouse -- she is very politically active and always was.
6 Could she host a fundraiser in the house we both live in? Can
7 I attend it? Can I -- do I have to walk around with tape over
8 my mouth? Like, what -- what's the standard?" And the
9 standard is: "I can attend. I don't have to leave. But, it -- it
10 should be clear, my spouse is the r-- one running this
11 fundraising party, and my spouse is the one who's going to
12 make the request for funding." So here, I think the question is
13 going to turn on: "What h-- what does host committee look
14 like?"

15 Mr. Scissura: Got it.

16 Mr. Kipp: And then we'll give you an answer depending on what the
17 structure is. That make sense?

18 Mr. Scissura: Right. And then these rules -- again, I say, because I'm sure
19 many of us will get hit up -- do not apply if you're doing
20 something for somebody running for Assembly in Albany or
21 Congress in DC, et cetera?

22 Mr. Kipp: That is correct. The fundraising restrictions are only for those
23 two categories. Any candidate running for one of those local
24 offices or any current local elected official running for
25 Congress. But if you've got somebody else running for State

1 Assembly or State in C-- or Congress, and they're not a
2 current City-elected official, there's no restriction.

3 Mr. Scissura: Yep.

4 Mr. Kipp: Good question.

5 Ms. McGraw: I do have a question.

6 Mr. Kipp: Yes, ma'am?

7 Ms. McGraw: Yeah, so, I got an email about --

8 Mr. Kipp: M-- Ma'am, could you flip that mic on just so we --

9 Ms. McGraw: Yeah.

10 Mr. Kipp: -- yeah. Thank you.

11 Ms. McGraw: Can you hear me? Oh, yeah. So I got an email about not
12 talking to the press until after we have this meeting. How we
13 would be instructed moving forward?

14 Mr. Kipp: I'm so glad that I'm not the person to answer that question. It
15 falls outside of the -- outside of the aegis of the Conflict of
16 Interest Law. So it's an important question, but maybe Ed's
17 got some thoughts on that. It's just not -- it's not under our
18 authority, so --

19 Ms. McGraw: Oh.

20 Mr. Kipp: Sorry. Yes, sir?

21 Reverend Daughtry: I -- I d-- I didn't hear attendance at community meetings. Is
22 there any res-- restrictions?

23 Mr. Kipp: No, there's no restriction on attending community meetings.

24 Reverend Daughtry: Any -- any community meetings? It's okay?

25 Mr. Kipp: The -- the way to think about it is -- there's a -- there's a

1 couple of things. One of them is a conflict of interest issue,
2 which is just -- and this -- it -- it's not as exciting as the
3 question you're answering -- it's not as interesting. It's just
4 confidential information, right? I can attend whatever meeting
5 and hang out with whomever I want, but I don't reveal
6 confidential non-public information. The other one is -- and --
7 and this is really just an internal thing about how these people
8 doing this very important work, then speak as a body about
9 the opinions of this Charter Revision Commission. And so I --
10 I'm not sure, like -- so, "When I go to a comm-- comm--
11 committee -- a comm-- a community meeting, can I talk about
12 my work on the non-- non-confidential work on the Charter
13 Revision Commission?" Certainly. Could there be a
14 divergence of opinion -- what the Commission officially
15 thinks and what I think? Probably. And so maybe I should --
16 and I don't -- I don't know that this is a conflict of interest
17 issue, but I should probably make clear in what capacity I'm
18 speaking. But that, again, is not under Chapter 68. That's just,
19 you know, so people know in what capacity I'm speaking.

20 Mr. Scissura: Okay. Any last questions? Alex, thank you very much.
21 You've been a great help. Thank you.

22 Mr. Kipp: Good luck, everybody. Thank you.

23 Mr. Scissura: Thank you. Thank you. Okay. We will now hear from Rachel
24 Cain and Benjamin Miller of the New York City Law
25 Department who will present on the function and history of

1 the City Charter and some of the past work of past Charter
2 Commissions to help frame our discussions as our
3 commission begins to look forward.

4 Ms. Rachel Cain:

5 Okay. Good afternoon, everyone. So I'm going to give a brief
6 introduction to the Charter itself and a the -- little bit of
7 history, and then my colleague, Ben Miller, is going to talk
8 about the work of the Commission and the role -- how -- how
9 the Charter can be amended. So the Charter is a document that
10 basically sets out the structure, powers, and responsibilities of
11 City government. It's intended to be what's call-- referred to
12 as a short form document that sets out general authority
13 responsibilities of agencies and elected officials, and the kind
14 of general basic processes of government. For the most part, it
15 doesn't contain the details -- the sort of day-to-day workings
16 of government, or the re-- requirements that are imposed on
17 individuals and businesses. Those kind of details are usually
18 set forth in the Administrative Code or in rules that are
19 promulgated by agencies. There are exceptions to that. So, for
20 example, Chapter 79, which is one chapter that was fairly
21 recently added to the Charter, relates to the Office of
22 Community Hiring and contains basically very specific
23 provisions about that office. So, there -- there is some
24 variation in terms of the level of detail that is set forth. Just to
25 give the sort of general legal context for where the Charter fits
in, generally in the United States, local governments get their

1 legal authority from the states that they're located in. In New
2 York State, the legal framework for municipalities is set by
3 the State Constitution and State law. There are a few primary
4 laws that define local -- local authority: the Municipal Home
5 Rule Law, the General City Law, and the General Municipal
6 Law. The Municipal Home Rule Law, in particular, is one that
7 you'll be hearing about later in the presentation that governs
8 the Charter amendment process and gives municipalities
9 broad authority to determine their own structure and sets forth
10 the process for doing so. So a little bit of history: The -- the
11 concept of charters is -- is quite old and -- and dates back to
12 colonial times. But the first charter for New York City, as we
13 think of it now, was adopted in 1897. That was just following
14 the creation of Greater New York, which was formed by
15 combining the former cities of Brooklyn and New York and
16 other municipalities into generally the city as we know it. That
17 charter was very long and had a lot more detail than our -- our
18 current charter. There were many amendments made by state
19 law in the early 1900s, but it still was a lot longer and -- and
20 more detailed than what we have today. The first charter -- in
21 the style of what we call the short form charter that we have
22 today, was implemented in 1936 by a Charter Revision
23 Commission. It was much more focused on -- the kind of the
24 broad structure, and a lot of the more detailed provisions were
25 moved into the Administrative Code, which was adopted in --

1 shortly after that 1936 Charter. There have been a number of
2 Charter Revision Commissions over the years, ranging from,
3 you know, 1961 through, you know, several in the '80s,
4 several in the '00s. The -- the most recent one was the Racial
5 Justice Commission, which was appointed by Mayor de
6 Blasio in 2021, and its proposals were approved in 2022. So
7 now I'm going to turn to just a very brief overview of what is
8 in the Charter. So the beginning of the charter -- the first few
9 mic cut out 20:52 chapters are mostly organized by elected
10 officials. So we had -- there's Chapter 1 that covers generally
11 the powers of the mayor; Chapter 2: the City Council; Chapter
12 4: the Borough Presidents; Chapter 5: Comptroller. These
13 chapters generally explain how the official is elected, what
14 term they serve in office, what their powers and duties are,
15 how they can be removed from office or succeeded if they're
16 not able to serve, and what kind of staff or deputies they can
17 hire or appoint to help them fulfill that office. Then there are
18 many chapters that set forth the basic processes of City
19 government; so the budgeting, spending, administration of
20 City property. So you can see there -- there's -- you know,
21 there's a chapter about the expense budget. There's a chapter
22 about tax appeals; city planning; capital projects; budget
23 process; the Independent Bud-- Independent Budget Office;
24 obligations of the City; procurement, which covers, you know,
25 purchasing by the city; franchises; and City property,

1 generally. And then, the -- the rest of the Charter mostly
2 consists of chapters that correspond to specific agencies,
3 offices, and departments. So there are more than 40 chapters
4 that each cover a different agency and similar to the -- the
5 chapters that cover the elected officials, they'll cover topics
6 such as the appointments to that agency; the city -- I'm sorry,
7 the agency's authority to propagate rules; in many cases, the
8 power to issue subpoenas seeking information; the power to
9 enforce rules and laws within the scope of that agency's
10 authority. And then, there are a number of other chapters that
11 cover specific processes or requirements that are aff-- that are
12 applicable to City officials and agencies. So one of those is
13 Chapter 68: the Conflicts of Interest Law that you just heard a
14 lot about. There is also Chapter 45: the City Administrative
15 Procedure Act, which sets forth the processes for agencies to
16 promulgate rules. Chapter 46 covers elections and voter
17 assistance. Chapter 47: public access to meetings. So that's
18 the -- the Open Meetings Law that you've heard referenced to.
19 Chapter 50 generally covers term limits and qualifications.
20 Chapter 54: ch-- collective bargaining. So these -- you know,
21 we're not going through all of the chap-- chapters, but just to
22 give you -- k-- just kind of orient you and give you a sense of
23 what kind of topics are covered and how the Charter is
24 organized. Now I'm going to turn it over to Ben Miller who's
25 going to talk about the process for amending the Charter.

1 Mr. Ben Miller: Thank you, Rachel. Okay, so as you probably got a sense from
2 Rachel's overview, the Charter is really the closest analog that
3 the City has to a Federal or State Constitution. But unlike
4 those documents, the Charter is -- is a fluid document that is
5 amended relatively frequently. There are four ways that the
6 Charter can be amended. It can be amended by local law,
7 which includes a local law passed in the normal procedure
8 passed by the City Council, signed by the mayor; or a local
9 law that, due to its subject matter, can only be passed with the
10 approval -- voter approval on -- by a referendum. The Charter
11 can be amended by state law. And then the Charter can be
12 amended directly by referendum, either by a voter petition or
13 by a Charter Revision Commission, which is what we are here
14 for today. A Commission -- a Charter Revision Commission is
15 established pursuant to Municipal Home Rule Law § 36.
16 That's a state law. That section sets forth a -- a few ways that
17 a commission can be established, including by the mayor on
18 his own prerogative. A commission established by the mayor
19 may consist of -- must consist of at least 9 members and no
20 more than 15 members. The mayor selects the chair, vice
21 chair, and secretary. All members of the committee must be
22 residents of New York City. So, hopefully you all are New
23 York City residents. And, in contrast to some other appointed
24 positions that are public offices, there is no prohibition under
25 the Municipal Home Rule Law against serving in another

1 public office or public employment. Commissions are not
2 permanent. The Commission expires on the day of the general
3 election, on which the Commission submits proposals to the
4 voters -- unless the Commission does not submit any
5 proposals to the voters, in which case the Commission expires
6 on the date of the second general election following its
7 establishment. I think the intention and the expectation is that
8 this Commission will submit proposals for consideration this
9 November, and so it will dissolve on -- on the day of the
10 election. The powers of the Commission: a Commission may
11 hire employees and consultants, may conduct hearings, take
12 testimony, subpoena witnesses and documents. The
13 Commission may propose amendments to the Charter that
14 could be adopted through regular local law, or only those that
15 -- that -- only amendments that would require a -- a voter
16 referendum, as well. The -- a commission is -- may choose to
17 propose a broad set of m-- amendments that essentially
18 overhauls the Charter or rewrites it, or focus on only particular
19 areas or subject matters. And the Commission may propose
20 amendments to voters as a question, a series of questions, or
21 as alternative options. There are some limits on the powers of
22 a Commission. These, I think, will -- are -- are sort of logical
23 and intuitive. A Commission may not propose amendments
24 beyond the scope of the City's local legislative powers as set
25 forth in the State Constitution and the Municipal Home Rule

1 Law. What this means is that the Commission may not
2 propose changes to the Charter that would be inconsistent
3 with state law and also may not propose changes that would
4 intrude on subject matters governed exclusively under federal
5 law or state law. This is the concept known as preemption. A
6 Commission must review the entire Charter. Now, as I -- as I
7 just said, although as you -- you're required to review the
8 entire Charter, you're not required to do a complete overhaul,
9 and the more common tactic it is to only make some changes
10 to some parts of the Charter. If the Commission -- skipping
11 ahead to that -- down a bullet -- down one bullet -- if the
12 Commission determines to leave part of the Charter
13 unchanged, it must issue a report explaining why it
14 determined to leave such part unchanged. Past Commissions
15 have handled this in a -- in -- in -- in a few different ways. In -
16 - in 2018, the Commission directly addressed that requirement
17 in its report and discussed some topics that it had considered,
18 but ultimately determined to defer to a future Commission.
19 Whereas in 2019 and 2021, the report essentially just
20 explained why the Commission chose to focus on particular
21 topics and sort of by implication that explained why they
22 chose not to focus on other parts. The Commission is required
23 to file its proposals with the City Clerk in a timely manner so
24 that they may be transmitted to the Board of Elections at least
25 three months before the day of the election. This means that at

1 the absolute latest, they must be transmitted to the City Clerk
2 by August 5th, 2024, as the election is on November 5th -- but -
3 - advised to give a little cushion. You might -- we -- we
4 should aim to have them in -- to submit it to the City Clerk by
5 the end of July. Sorry. Just quickly to discuss a few notable
6 recent Commissions to wrap up: the 1989 Commission. This
7 was the last Commission, I think, that was a complete
8 overhaul of the Charter. That commission followed the U.S.
9 Supreme Court decision in Board of Estimate v. Vorrit -- v.
10 Morris, which found that the Board of Estimate and its voting
11 structure was unconstitutional, because it violated the
12 principle of "One Person, One Vote" because it gave equal
13 voting power to all the borough presidents. The Board of
14 Estimate was -- had an important role in -- in almost every
15 major city process, and so that required that all those
16 processes be rethought, and the powers of the Board of
17 Estimate divvied out to the other actors in city government. In
18 2020 -- in 2010, there was a Commission. The important
19 change there was they restored the two term limit for elected
20 officials that had been extended to a three term limit only in
21 2008 via -- via a regular local law without a referendum. And
22 in 2019, there were a number of important changes. One --
23 one big change was the implement -- implementing Ranked
24 Choice Voting for City elections. Another notable change that
25 may be of interest is that in 2019, the appointment of the

1 Corporation Council was made subject to the City Council's
2 advice and consent. As Rachel mentioned, the -- the last
3 Commission was the Racial Justice Commission. This was in
4 2021. It was charged with examining the Charter to
5 identifying barriers -- to identify barriers to power, access, and
6 opportunity related to race; and to put forward proposals
7 aimed at removing those barriers, and investing racial equity.
8 As a result of proposals from the 2022 Commission, the
9 Office of Racial Equity was established, and also there was a
10 requirement implemented for Citywide and Agency Racial
11 Equity plans every two years. That concludes our discussion
12 of the Charter and the Charter Revision Commission. We're
13 happy to take any questions.

14 Mr. Scissura:

Great. Thank you very much. I remember a few of those
15 Charter Commissions -- especially 2010, which was quite
16 fascinating. Any questions from the commissioners?

17 Mr. Miller:

Okay. Well, if any come up, we're (unclear).

18 Mr. Scissura:

Appreciate it. Thank you very much and -- and to both of you
19 -- appreciate your -- thorough. Okay. I'm going to ask Diane
20 Savino, our Executive Director, to say a few words.

21 Ms. Diane Savino:

It will be just a few words. First, on behalf of Mayor Adams,
22 I'm very honored to have been asked to be in this position,
23 and I want to thank the members of the Commission for
24 giving me their vote and their confidence to help put this
25 together. As Alex said, this is a -- sorry, Ben. Ben said, "This

1 is a short sprint.” We have to complete the work of this
2 Commission in a very quick period of time, in order to be
3 ready to present our final report by the end of July, no later
4 than August 5th. It is going to be a -- a rapid movement, so I’m
5 happy to hear that all of you are enthusiastic. I’m happy to
6 hear that you’re excited. I hope you’re as excited at the end of
7 this process as you are today. But the one thing I am very
8 proud of is -- I’ve spent 34 years now in city and state
9 government. Starting first at -- you know, working for the City
10 of New York, then later for a DC 37 Local, onto the State
11 Senate, and back to the City of New York. Finding people
12 who are dedicated to public service is hard. Finding people
13 who do it for a living is hard enough, but finding people who
14 are willing to volunteer their time to reform the way city
15 government operates, to make our city better is incredibly
16 empowering. And so I am so proud to be part of this process
17 to help this Commission achieve its work. And I’m happy to
18 have my g-- general counsel sitting next to me. Ed Kiernan in
19 the back is the Chief of Staff -- Robert Cataldo. There will be
20 other people who are joining this to help us get to where we
21 need to be to meet the deadline so that we will have
22 opportunities before the voters -- after we have heard from the
23 voters themselves. So that’s what this commission is about,
24 and I’m just so happy to be part of it. Thank you.

25 Mr. Scissura:

Thank you, Diane. And I also want to echo a thanks to the

1 staff. It's a lot of work. It's a lot of writing. It's a lot of
2 research. It's a lot of meetings. So I thank you in advance for
3 keeping you busy, at least, for the next few weeks of your life.
4 So, just a couple of closing remarks: First of all, again, thank
5 you. I thank the folks who are here that came out to our
6 organizational meeting. We will have a lot of meetings
7 coming up. The staff will be working to finalize dates for our
8 upcoming public hearings. As I mentioned, I am committed to
9 a meeting in every borough; one in the morning, one in the
10 evening. I think it's important to give people the opportunity.
11 Meeting dates will be posted on the Charter Revision
12 Commission website at www.nyc.gov/charter and will be
13 shared with the media. We will be putting everything out
14 there; all the meeting notices -- everything will go on this
15 website. And if -- before I close and ask for a motion to
16 adjourn, do any commissioners want to add anything before
17 we close the meeting?

18 Dr. Dukes: I'm always concerned about morning meetings. Our -- our
19 seniors are available, but sometimes the voices of mothers and
20 fathers and young -- the young Gen X -- what is it?

21 Ms. Savino: Millennials.

22 Dr. Dukes: Millennials -- or whatever the title is, right? Most of them are
23 going back to work or working at home. So I really want us to
24 think about morning meetings. Evening meetings is tough,
25 too, for people, but I think we give a more opening to people

1 to say evenings more than mornings.

2 Mr. Scissura: Yeah. We agree and that's why we're going to do both -- just
3 so that there's an opportunity for everyone's voice to be
4 heard. Obviously, you know, the world has changed since
5 2020. Remote opportunities and Zooms and all these things
6 are -- are out there. So we'll be looking at how to best allow
7 people to participate and -- and hear what's going on. And I
8 think that'll be an important thing as well. We are going to do
9 our best to -- to be in locations that are accessible to mass
10 transit and, you know, ways of getting there, and -- and we'll
11 do our best to accommodate everyone. Yes, ma'am.

12 Ms. McGraw: Yeah. Yeah, I have a question. So how is the community
13 going to get the information about attending these very
14 important meetings? That's an issue with, you know --

15 Mr. Scissura: Yeah. So --

16 Ms. McGraw: -- an area --

17 Mr. Scissura: --good --

18 Ms. McGraw: -- we're in.

19 Mr. Scissura: -- good question. I know we have many members of the press
20 here. I'm sure they're going to be posting it and tweeting
21 about it and whatever access there is. And that would be
22 helpful, by the way, 'cause it's important that --

23 Ms. McGraw: (Unclear) --

24 Mr. Scissura: -- New Yorkers know this.

25 Ms. McGraw: And do we get a -- oh, excuse me, (unclear).

1 Mr. Scissura: No, please go ahead. I'm sorry.

2 Ms. McGraw: So do we get an opportunity to, as well, inform the people that
3 we deal with --

4 Mr. Scissura: Absolutely.

5 Ms. McGraw: -- in our community. 'Cause if we go into some areas -- we
6 deal with a lot of the least of these -- and we deal -- we deal --
7 we're working in marginalized community -- and underserved
8 community, and a lot of times they are the last ones to get the
9 information. A lot of times they don't even get the
10 information, you know. When we're out in the city, in the
11 streets, and we -- we have an event and we ask --

12 Mr. Scissura: You should (unclear).

13 Ms. McGraw: -- our community: Do you know that every precinct has a
14 domestic violence unit?

15 Mr. Scissura: No one knows.

16 Ms. McGraw: And no one knows that in our community. So, that is my
17 concern. How can we work? 'Cause I didn't just agree to take
18 this job. I am serious about what I'm doing here because I see
19 it every day from where I come from. So how do -- how does
20 that work?

21 Mr. Scissura: Great. So we're putting together the lists of dates. We will get
22 it out in every means possible. We will do our best to get it to
23 community groups, to community boards, to precinct councils.
24 We will -- the public meetings -- I think we're going to post it,
25 right? Where?

1 Mr. Kiernan: I mean, it'll be on our website. It'll be --

2 Mr. Scissura: But where do we -- by -- by law we have to post it
3 somewhere.

4 Ms. Savino: Right.

5 Mr. Kiernan: Oh. In the Surrogates Court will be posted. It'll be --

6 Ms. Savino: Here. If you -- if you can.

7 Mr. Scissura: Yeah. Go ahead.

8 Mr. Kiernan: No, so we have -- there's a -- a wide -- a-- a--array places
9 where we're required to -- to post it. You know, we send it out
10 to every media outlet. It'll be all over our website -- over the
11 city's website. But we really rely on you as community
12 leaders to -- to get the word out. So, you know, we -- and --

13 Ms. McGraw: Me and Gianna (unclear).

14 Mr. Kiernan: -- yeah. At all the (unclear) meetings --

15 Mr. Scissura: I -- I would add -- I would add one important thing -- and I
16 think we should ask the Mayor's Office of CAU -- they have
17 various distribution lists. They should be sending out the
18 notices of the meetings, et cetera, as well.

19 Bishop Seabrooks: Yeah. Church would be a big, big avenue for information,
20 'cause most of -- if the leaders get the information, then they -
21 - they could put it in bulletins or speak on Sunday morning
22 about meetings that are being held.

23 Mr. Scissura: Any other questions or comments from the Commission
24 members? Okay. Hearing none then without -- yes, ma'am.
25 Oh, you're going to make a motion. Alright. Motion to

1 adjourn today -- to close today's meeting. Do I have a second?

2 Ms. Savino: Second.

3 Mr. Scissura: Any discussion on the motion? All in favor? Aye. Any
4 opposed? Any abstentions? Alright. We will see you all very
5 soon. Have a great day everybody.

6 **END OF AUDIO FILE**